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for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Plaintiff,

v.

ONESCO INTERNATIONAL, LTD., IMPACT  
DESIGNS LIMITED, TELFORD LIMITED, THE  
ESTATE OF GARY ALBERT, KATHLEEN  
ALBERT, in her capacity as Personal Representative  
of the Estate of Gary Albert, STEVEN BRAUN, in his  
capacity as Personal Representative of the Estate of

Adv. Pro. No. 10-04966 (SMB)

Gary Albert, and KEN LITVAK,

Defendants.

**NOTICE OF MEDIATOR SELECTION**

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”)<sup>1</sup> [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141]. Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), in this Adversary Proceeding on December 2, 2010 [Dkt. No. 2], the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter.

Pursuant to the Avoidance Procedures, on July 19, 2017, the Trustee filed with this Court the Notice of Mediation Referral, wherein the Trustee and Defendants the Estate of Gary Albert, Kathleen Albert, in her capacity as Personal Representative of the Estate of Gary Albert, and Steven Braun, in his capacity as Personal Representative of the Estate of Gary Albert (the “Parties”), jointly agreed to enter mediation prior to or upon completion of discovery without further court order.

Through this Notice of Mediator Selection, and pursuant to the Avoidance Procedures and the Mediation Order, made applicable to the Parties upon the filing of the Notice of Mediation Referral, the Parties hereby mutually select from the Mediation Register Melanie L. Cyganowski, from the law firm of Otterbourg, Steindler, Houston & Rosen, P.C., to act as

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<sup>1</sup> All terms not defined herein shall be given the meaning ascribed to them in the Order.

Mediator in this matter. The Parties further agree to contact Ms. Cyganowski as soon as practicable after this Notice of Mediator Selection is filed with the Court.

The Parties further agree that no person shall act as Mediator if that person, or that person's law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Pursuant to the Avoidance Procedures, the Parties agree that this mediation will conclude within 120 days from the date that this Notice of Mediator Selection is filed, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York  
August 2, 2017

/s/ Keith R. Murphy  
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Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of  
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